

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLIFFORD CRYSLER,

Petitioner,

Case No. 1:12-CV-1142

v.

HON. GORDON J. QUIST

BONITA HOFFNER,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation (R & R) filed by the magistrate judge on April 14, 2015 recommending that the Court deny the petition for writ of habeas corpus. The R & R was duly served on Petitioner on April 15, 2015. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore, the Court will adopt the R & R.

Under 28 U.S.C. § 2253(c)(2), the Court must also determine whether a certificate of appealability should be granted. A certificate should issue if a petitioner has demonstrated “a substantial showing of a denial of a constitutional right.” *Id.* The district court must “engage in a reasoned assessment of each claim” under the standards set forth by the Supreme Court in *Slack v. McDaniel*, 529 U.S. 473, 120 S. Ct. 1595 (2000). *Murphy*, 263 F.3d at 467. Under *Slack*, to warrant a grant of the certificate, “[t]he petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” 529 U.S. at 484, 120 S. Ct. at 1604. For the reasons stated above, the Court finds that reasonable jurists could not find that this Court’s dismissal of Petitioner’s claims was debatable or wrong. Thus, the Court will deny Petitioner a certificate of appealability.

THEREFORE, IT IS ORDERED that the April 14, 2015 Report and Recommendation (dkt. #22), is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Petitioner's habeas corpus petition (dkt. # 1) is **DENIED**.

This case is **concluded**.

Dated: May 8, 2015

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE